

AO
(Rev.8/97)

SEARCH WARRANT ON WRITTEN AFFIDAVIT

ORIGINAL

United States District Court	DISTRICT SOUTHERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA v. PREMISES KNOWN AND DESCRIBED AS SNEAKER MANIA, 1BB XAVIER DRIVE, CROSS COUNTY SHOPPING CENTER, YONKERS, NEW YORK 10704 INCLUDING THE BASEMENT STORAGE AREA BENEATH THAT STORE AND ANY CLOSED CONTAINERS AND CLOSED ITEMS THEREIN.	DOCKET NO.	MAGISTRATE'S CASE NO. 04 MAG. 0358
To: ANY AUTHORIZED AGENT OR LAW ENFORCEMENT PERSONNEL		

Affidavit(s) having been made before me by the below-named affiant that he/she has reason to believe that on the premises known and described as Sneaker Mania, 1BB Xavier Drive, Cross County Shopping Center, Yonkers, New York 10704 including the basement storage area beneath that store and any closed containers and closed items therein in the Southern District of New York, there is now being concealed property, namely

SEE RIDER A

ALL Computer Hardware to be Released within 60 days of execution of the warrant unless further application is made to the court.

and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and that the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit(s),

YOU ARE HEREBY COMMANDED to search on or before MARCH 1, 2008 (not to exceed 10 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime — 6:00 A.M. to 10:00 P.M.) (~~At any time in the day or night~~)* and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized and promptly return this warrant to any authorized judicial officer as required by law.

NAME OF AFFIANT Special Agent Herbert Eis, IRS	SIGNATURE OF JUDGE OR U.S. MAGISTRATE <i>[Signature]</i> MARK D. FOX	DATE/TIME ISSUED 2/20/08 11:58 AM
---	--	---

* If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure Rule 41(c), show reasonable cause therefor.

United States Magistrate Judge
Southern District of New York

RIDER A

All documents and other property and things which constitute evidence or fruits of the violations of 26 U.S.C. Sections 7201 and 7206 (1) (failure to report income) and 31 U.S.C. Section 5324 (structuring of financial transactions), including the following, relating to Elia, Sneaker Mania, Inc., Sneaker Mania Women and Kids, Sneaker Outlet, Dynasty, Sports Stop, Pizza Mania, Final Touch Jewelry, Inc. and White Plains Driving School, DBA Center for Safety, relating to the tax years 1999 through the present:

- a. All records, including books, Articles of Incorporation, corporate resolutions, minute books, stock books, general journals, cash receipt journals, daily receipt envelopes, cash disbursement journals, sales journals, purchase journals, payroll records, payroll stubs, petty cash payment records, computer-generated summaries for the above, and correspondence, including correspondence to and from Paul Lenok, CPA;
- b. General ledgers and subsidiary ledgers including notes receivable, accounts receivable, accounts payable, notes payable, and closing ledgers;
- c. Bank Statements, deposit slips, withdrawal slips and canceled checks for all bank accounts, including all funds on deposit such as certificates of deposit and money market accounts;
- d. Receipt copies of money orders;
- e. Contracts, estimates, bills, invoices, receipts, correspondence, inventories, and other documents regarding vendors and or suppliers;
- f. All Federal income tax returns, Forms 1040, 1120, filed or not filed, and supporting work papers, summary sheets, and analyses used in the preparation of the tax returns;
- g. Forms 940, 941, W-2, W-3 and 1099 of the IRS, and any forms of the New York State Department of Taxation and Finance, which refer to or relate to the payroll, earnings, or taxes;
- h. Any and all computers, computer hard drives, and data and information stored on computers, electronic files, disks, software, electronic storage devices (e.g., Zip, CD, DVD and floppy diskettes) and all other peripheral

devices capable of storing information requested in (a)-(g) and (j) herein;

- i. All closed and/or locked containers containing the information requested in (a)-(g) and (j) herein;
- j. All other records regarding the failure to report income from Sneaker Mania, Inc., Sneaker Mania Women and Kids, Sneaker Outlet, Dynasty, Sports Stop, Pizza Mania, Final Touch Jewelry, Inc. and White Plains Driving School, Inc., DBA Center for Safety on the respective corporate tax returns and individual tax returns of the companies shareholders (26 U.S.C. Section 7201, 7206 (1)) and the structuring of financial transactions (31 U.S.C. Section 5324).
- k. Any and all records and documents in the Hebrew language, which, after seizure will be translated to discern whether they contain the information set forth in (a) through (j) above, which documents, after translation, will be retained if they do contain such information and returned if they do not contain such information.

Inventory Listing of All Items Seized at Search Warrant Site

Site Name: Sneaker Mania 1 BB Xavier Drive Yonkers, NY 10704 The location is the store and basement of Sneaker Mania, a retail store in the Cross County Shopping Center located at 1 BB Xavier Drive Yonkers, New York 10704	Investigation Number: 130430096 Starting Date and Time: 02/24/2004 10:10 AM Ending Date and Time: 02/24/2004 02:25 PM	Report Date: Wednesday, February 25, 2004
--	---	---

Control #:	1	Evidence Box:	1
Location:	Front Storage Basmt	Locator Code:	Basement F
Found:	Basement Storage Room F Area F-1		
Description:	Seized Per Warrant Sales Receipts - Sneaker Mania Women		
<hr/>			
Control #:	2	Evidence Box:	2
Location:	Front Storage Basmt	Locator Code:	Basement F
Found:	Basement Storage Room Labeled F		
Description:	Seized Per Warrant Daily Sales Receipts (2000) - various companies including Final Touch and Sneaker Mania		
<hr/>			
Control #:	3	Evidence Box:	3
Location:	Manager Office Basmt	Locator Code:	Basement F
Found:	Basement Room D Manager's Office Area D-3		
Description:	Seized Per Warrant One exemption form, sales and purchase records, employee name list, one Compaq Laptop Computer (serial number 7506HPM40363)		
<hr/>			
Control #:	4	Evidence Box:	4
Location:	Front Storage Basmt	Locator Code:	Basement F
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant Copies of Daily Activity Register Tapes / Receipts		
<hr/>			
Control #:	5	Evidence Box:	5
Location:	Front Storage Basmt	Locator Code:	Room F Basement
Found:	Basement Room F Area F-1		
Description:	Seized Per Warrant Copies of Daily Activity Register Tapes / Receipts		
<hr/>			
Control #:	6	Evidence Box:	6
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Basement Room F Storage Room Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		

Control #:	7	Evidence Box:	7
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	8	Evidence Box:	8
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant 1. Copies of daily register tapes / receipts 2. Computer disks 3. Expired credit cards		
Control #:	9	Evidence Box:	9
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant Copies of daily financial activity register / receipts		
Control #:	10	Evidence Box:	10
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	11	Evidence Box:	11
Location:	Front Storage Basmt	Locator Code:	Room F Basement
Found:	Room F Basement Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	12	Evidence Box:	12
Location:	Front Storage Basmt	Locator Code:	Room F Basement
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	13	Evidence Box:	13
Location:	Main Sales Floor	Locator Code:	Room A
Found:	Area A-1 Cashier's Desk		
Description:	Seized Per Warrant Sales Log Books (4), Cash Pick-up Journals (3), Customer Book (1), two bags of sales receipts		
Control #:	14	Evidence Box:	14
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		

RETURN

DATE WARRANT RECEIVED

2/20/04

DATE AND TIME WARRANT EXECUTED

2/24/04 10:10 am

COPY OF WARRANT AND RECORD
WITH

Herbert White

INVENTORY MADE IN THE PRESENCE OF

INVENTORY OF PROPERTY TAKEN PURSUANT TO THE WARRANT

See Attached

CERTIFICATION

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant

Subscribed, sworn to, and returned before me this date.

Federal Judge or U.S. Magistrate

Date

Control #:	15	Evidence Box:	15
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	16	Evidence Box:	16
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	17	Evidence Box:	17
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	18	Evidence Box:	18
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	19	Evidence Box:	19
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	20	Evidence Box:	20
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	21	Evidence Box:	21
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	22	Evidence Box:	22
Location:	Front Storage Basmt	Locator Code:	Room F
Found:	Area F-1		
Description:	Seized Per Warrant Copies of daily activity register tapes / receipts		
Control #:	23	Evidence Box:	
Location:	Manager Office Basmt	Locator Code:	Room D
Found:	Area D-3		
Description:	Seized Per Warrant Monorail computer system Model 7350 Serial # 7155-20130-10006		

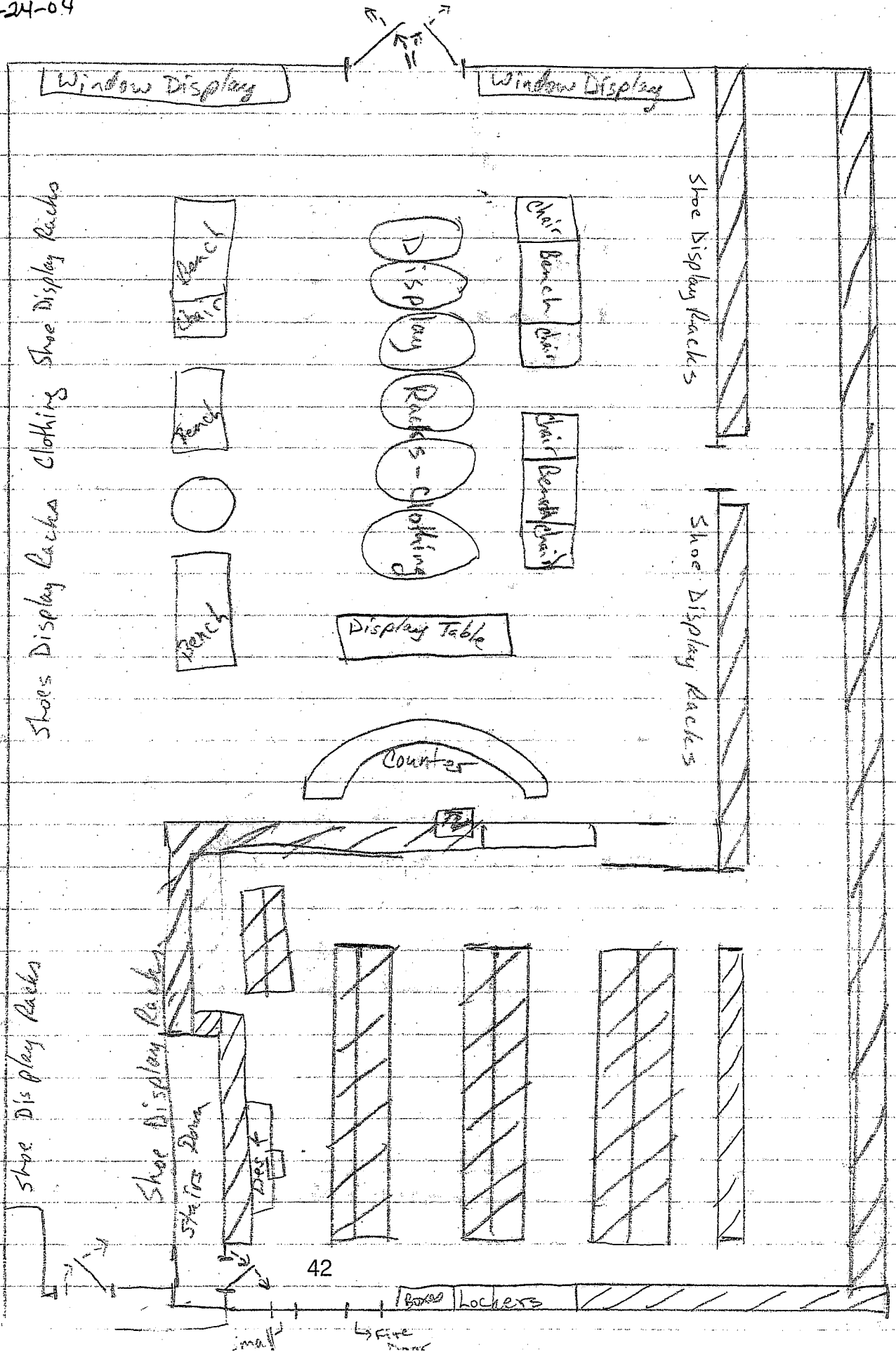
Control #:	24	Evidence Box:	
Location:	Main Sales Floor	Locator Code:	Room A
Found:	Room A Main Sales Floor Area A-1 Sales Desk		
Description:	Seized Per Warrant	Computer hard drive image of Dell Dimension 4550 located on the floor in Area A-1	

Control #:	25	Evidence Box:	
Location:	Main Sales Floor	Locator Code:	Room A
Found:	Room A Main Sales Floor Area A-1 Sales Desk		
Description:	Seized Per Warrant	Computer hard drive image of Advance Technology System computer located in Area A-1	

Control #:	26	Evidence Box:	
Location:	Manager Office Basmt.	Locator Code:	Room D
Found:	Area D-1		
Description:	Seized Per Warrant	Computer hard drive image of A. Open computer located in area D-1	

A + B

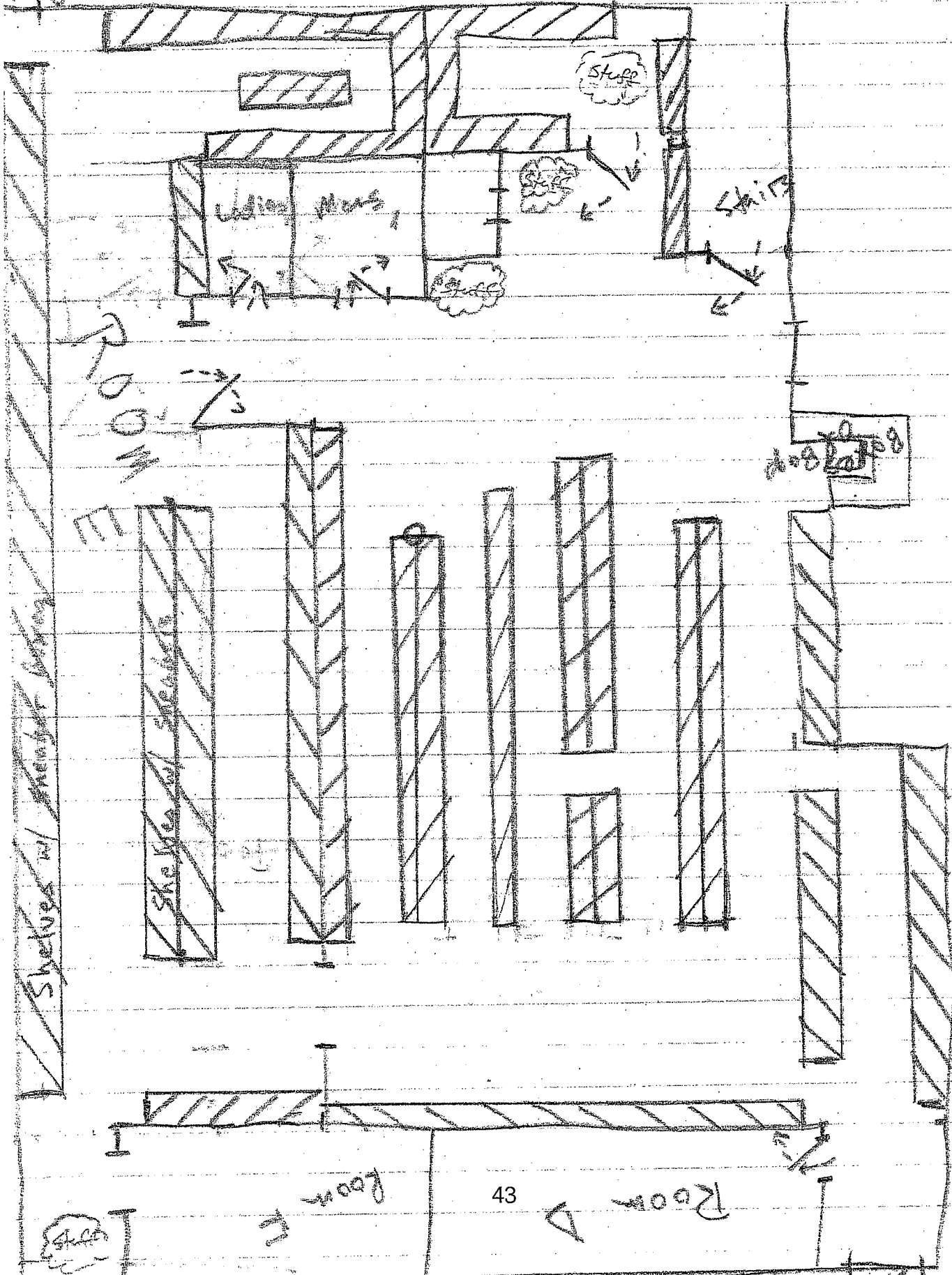
Pete Chartier 2-24-04
PAC



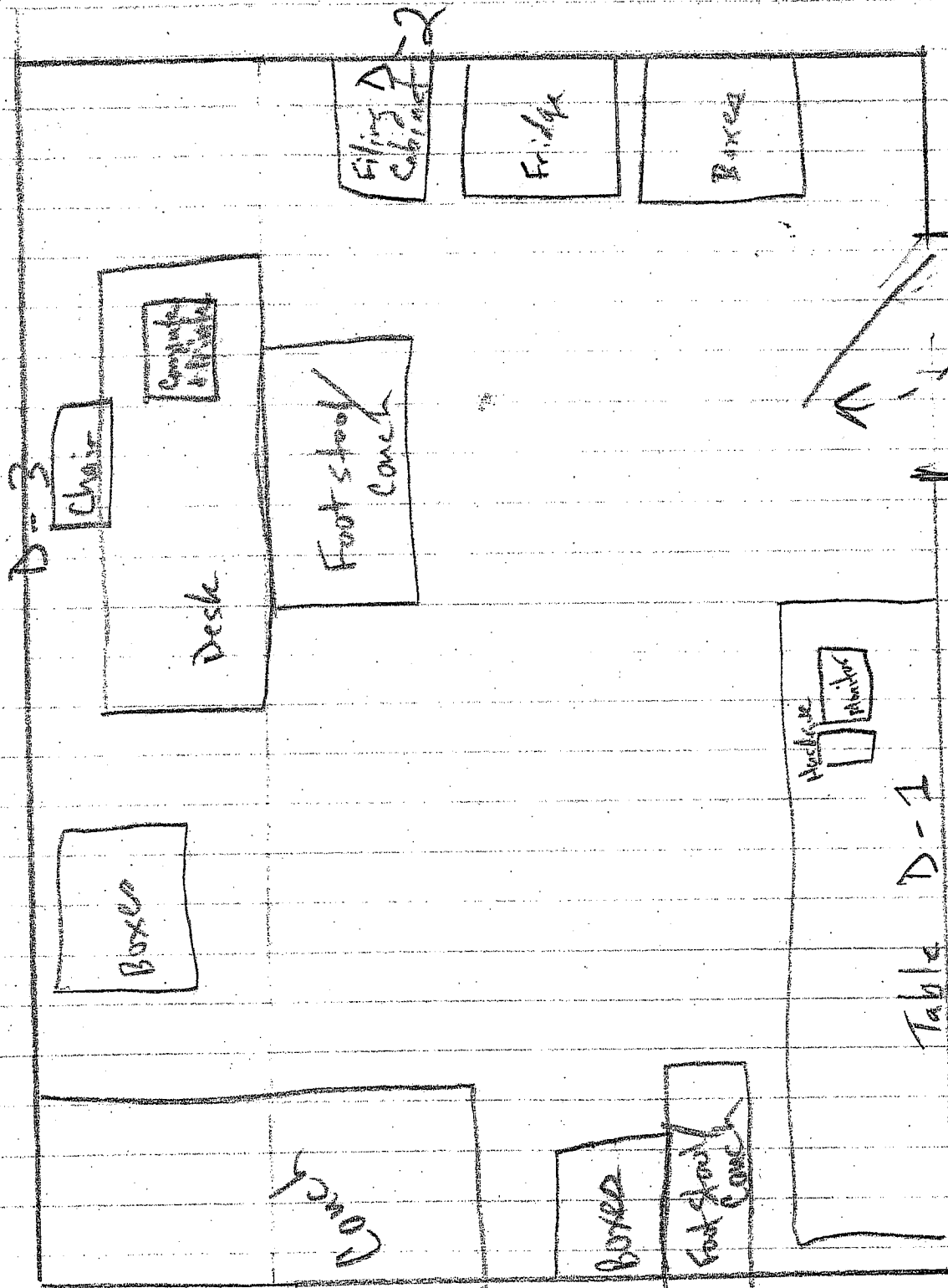
Room C + E

Pete Chertner 2-24-04
PAC

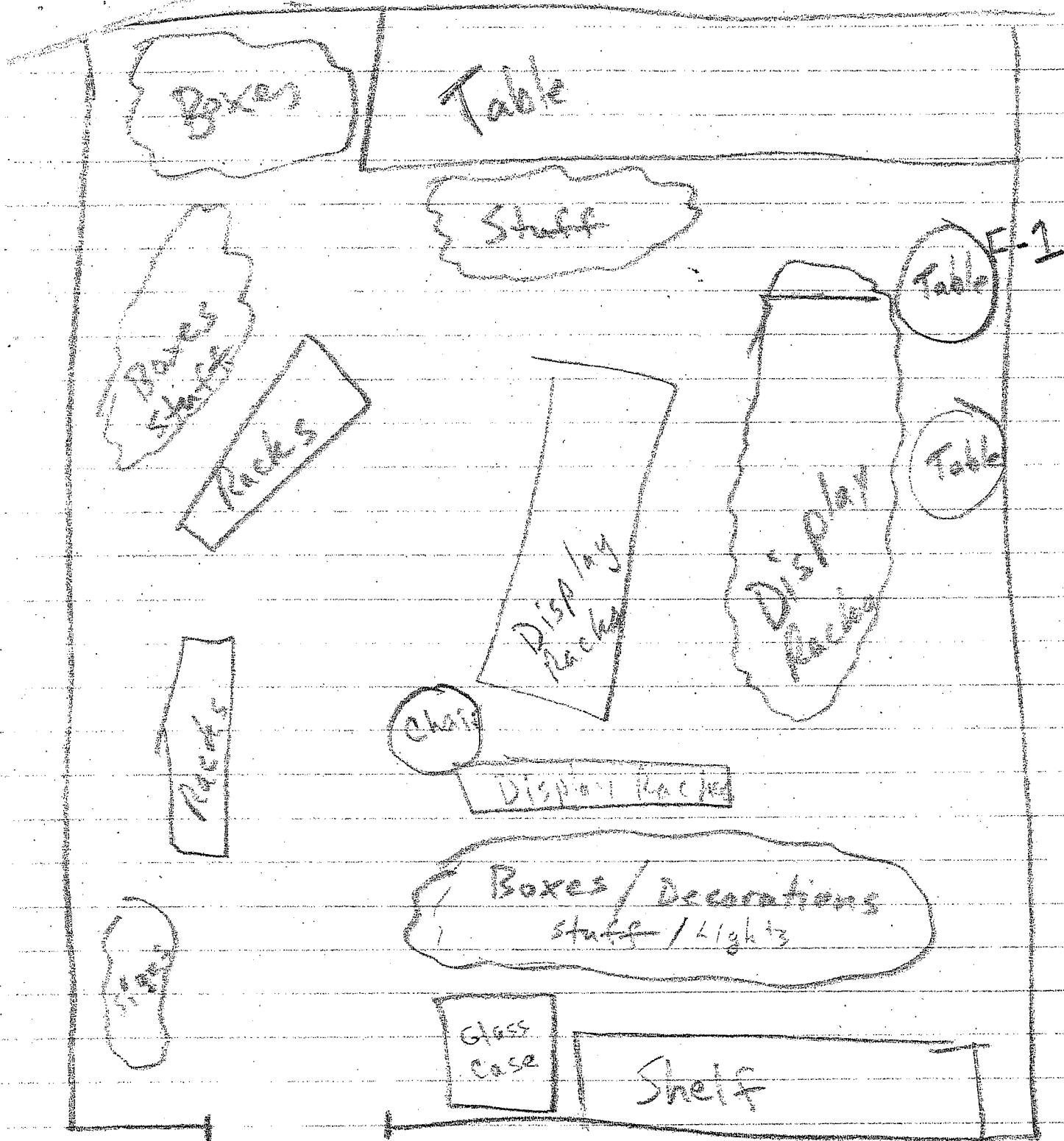
Fire Exit



ver 2-24-04



Room D



Room F